

**CROWLEY COUNTY BOARD OF COUNTY COMMISSIONERS  
RECORD OF PROCEEDINGS**

MARCH 24, 2025

**CALL TO ORDER**

Board of County Commissioners met in regular session on March 24, 2025. The meeting was called to order by Chairman Roy Elliott at 8:30 a.m. The following were present:

Roy Elliott, Chairman  
Terry McMillian, Vice Chairman  
Vicki Powell, Commissioner  
LaShelle Benbow, Deputy Clerk to the Board  
Audience: Lisa Schlotterhausen and Rick Ferraro

**APPROVE SPECIAL DISBURSEMENT, MARCH 13, 2025**

This was an error. This disbursement was approved at the March 17, 2025, BOCC meeting so it was not discussed at this meeting.

**RESOLUTION NO. 2025-9207**

**APPROVE ADMIN DISBURSEMENTS, MARCH 24, 2025**

Motion by Powell, seconded by McMillian to approve the disbursements for March 24, 2025, and authorize transfer of funds in the following amounts:

General Fund \$481,210.97  
Road & Bridge Fund \$2,202.19  
EMS Fire Fund \$58.92  
Ambulance Fund \$7,801.43  
Water Fund \$4,744.78  
DHS Fund \$495.00  
Conservation Trust Fund \$6,000.00

Total Disbursements \$502,513.29

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye  
McMillian - Aye  
Powell - Aye

**RESOLUTION NO. 2025-9208**

**APPROVE SECRETAC DISBURSEMENTS, MARCH 24, 2025**

Motion by McMillian, seconded by Powell to approve the SECRETAC disbursements for March 24, 2025, and authorize transfer of funds in the following amount:

SECRETAC Fund \$22,468.98

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye  
McMillian - Aye  
Powell - Aye

**RESOLUTION NO. 2025-9209**

**APPROVE OEM DISBURSEMENTS, MARCH 24, 2025**

Motion by McMillian, seconded by Powell to approve the OEM disbursements for March 24, 2025, and authorize transfer of funds in the following amount:

EMS Fund \$13.10

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye

McMillian - Aye

Powell - Aye

**RESOLUTION NO. 2025-9210**

**APPROVE SPECIAL DISBURSEMENT, MARCH 24, 2025**

Motion by Powell, seconded by McMillian to approve the special disbursement dated March 24, 2025, in the amount of \$48.98 (Ambulance Fund). No funds are being requested from the Treasurer, because the original check #86368 was voided due to being lost in the mail and another check was issued in its place.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye

McMillian - Aye

Powell - Aye

**RESOLUTION NO. 2025-9211**

**APPROVE CORRECTION TO RESOLUTION NO. 2023-8552, USE BY REVIEW REQUEST, CHAD AND TIFFANY ROUSE, FILE NO. 2023-01**

Motion by Powell, seconded by McMillian to approve the following resolution:

This is a correction to Resolution No. 2023-8552, Use by Review Request, Chad and Tiffany Rouse File No. 2023-01.

In the original resolution, the second sentence referred to "South side of Lane 27". It is being corrected to "South side of Road W." See full, revised wording below.

Chad and Tiffany Rouse are requesting a Use by Review of 5,400 acres, of which between 1,415 and 2,830 acres will be used to construct a solar farm. The solar farm would be built on the North and South side of Road W including, but not limited to, Sections 10 - 15, Township 19, Range 55 West. The Crowley County Planning and Zoning Commission heard the request on February 20, 2023, and recommended approval by the Board subject to 1) setbacks for non-ag fencing to be at least 100 feet from public roadways and sufficient on other property lines, 2) road use agreement be for the life of the project including construction and decommissioning, and 3) bonds for revegetation and decommission be in place.

Arbuthnot requested that Stephen Land, Project Director for Stellar, provide an overview of the project.

After the presentation, Arbuthnot asked where the Xcel transmission line would be located? Stephen Land stated that their educated guess would be along County Road W, extending west from Kiowa County. Arbuthnot asked if there was any public discussion.

Steve Pelster and Tony Hagans both expressed concerns regarding the potential erosion caused from torrential rains and wind erosion. Would the solar project have a greater negative impact than the known erosion patterns that exist. Stephen Land said that they have completed a hydrology study and the wetland delineation, and these reports address such concerns.

Additional concerns that were discussed include: fencing and setbacks, and whose responsibility it would be to maintain weed buildup which may cause damage to fencing; storage requirements for lithium batteries, and liability issues that would arise due to water shed and wind erosion and potential damages to neighboring properties.

Arbuthnot asked the Board if they had any concerns. McMillian stated that his concern is to protect the land owners. Arbuthnot proposed that approval of the Use by Review be limited up to 2,830 acres on the 5,400-acre property, and subject to the following stipulations:

1. Same stipulations that were required of AES in another solar project, approved under Resolution No. 2023-8541,
2. Setbacks for non-ag fencing be at least 100 feet from public roadways and sufficient on other property lines,
3. Road use agreement be for the life of the project; including construction and decommissioning, and
4. Bonds for revegetation and decommission be in place.

Arbuthnot asked for a motion. Motion by Elliott, seconded by McMillian to approve the Use by Review request made by Chad and Tiffany Rouse, File No. 2023-01, subject to the four stipulations proposed by Arbuthnot.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye

McMillian - Aye

Powell - Aye

#### **RESOLUTION NO. 2025-9212**

#### **APPROVE PURCHASE AND SALE AGREEMENT BETWEEN CROWLEY COUNTY AND 96 PIPELINE FOR 20 PAIRED WATER SHARES**

Motion by McMillian, seconded by Powell to approve the Purchase and Sale Agreement between Crowley County and 96 Pipeline for 20 paired water shares, at a price of \$7,500 per paired share.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye

McMillian - Aye

Powell - Aye

#### **OTHER BUSINESS OR DISCUSSION**

Holly McCuiston submitted a draft of a resolution which adopts an abandoned property policy. She would like to have one implemented in our County. The commissioners will review the draft resolution and discuss it with Holly.

Tonia Burnett, DHS Director had submitted a salary increase for an employee who recently completed additional training requirements. The commissioners will review the request and discuss it with Tonia.

LaShelle Benbow mentioned that legal council said the drainage ditch funding could not be transferred to the County for use. Additional research would need to be done by legal council to determine how to dissolve the defunct drainage ditch companies and who gets their assets. The commissioners do not wish to pursue this.

#### **RESOLUTION NO. 2025-9213**

#### **OTHER BUSINESS OR DISCUSSION - MEMORANDUM OF UNDERSTANDING**

Motion by Powell, seconded by McMillian to approve the Memorandum of Understanding between Crowley County Department of Human Services and Delores Lovato to provide child support services for Crowley County on an "as needed" basis. The contract is in effect from February 1, 2025 to February 28, 2026, at an hourly contract rate of \$30.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Elliott - Aye  
McMillian - Aye  
Powell - Aye

**UPDATE FROM SCEDD - LISA SCHLOTTERHAUSEN**

Lisa Schlotterhausen, Program Manager with Southern Colorado Economic Development District, met with the commissioners to discuss what programs and services they provide to 13 counties in southern Colorado. She will be working on the Comprehensive Economic Development Strategy report and she provided a Crowley County Projects Summary list. She asked that the commissioners review it and let her know if the projects are still in the works or not, and if there are any new projects she needs to be aware of.

She mentioned that they are waiting on the final approval for the broadband project.

In the near future they will be hosting a Talent Summit and a Water and Wastewater Summit.

**RICK FERRARO - BURNING DRAINAGE DITCHES**

Rick Ferraro stopped by to ask if the drainage ditch funds were going to be made available to the fire departments. The answer is no. He explained how they could use a large chainsaw and wood splitter for fire mitigation. When trees catch on fire they can burn for 5 or 6 days. The fire also burns through the roots which can cause a fire to occur in a different location. He estimates that the cost of the equipment would be around \$3,500. The commissioners asked for him to reach out to Mario Rodriguez about using some of the SECRETAC grant funds, but to keep them posted.

**MONTHLY PRISON MEETING**

The board did not conduct the monthly prison meeting. No representatives attended from Arkansas Valley Correctional Facility or Crowley County Correctional Facility.

No further business appearing the meeting was recessed.

ATTEST:

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Melinda Carter, County Clerk

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Roy Elliott, Chairman